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13281 U.S. PTO

**UTILITY PATENT
APPLICATION TRANSMITTAL**(Only for new nonprovisional applications
under 37 CFR 1.53(b))Attorney
Docket No.

010481A

Total: pages
plus postcard
& check

First Named Inventor or Application Identifier

Keishi NAKAMURA and Mikio TATUGUCHI

Express Mail Label No.

PAGE 1 OF 3

Check Box, if applicable [] Duplicate

APPLICATION ELEMENTS FOR:
LOW RESISTANCE VALUE RESISTORADDRESS TO: Commissioner for Patents
BOX PATENT APPLICATIONS
Washington, D.C. 20231

1. ☒ Fee Transmittal Form (Incorporated within this form)
(Submit an original and a duplicate for fee processing)
2. ☒ Specification, Claims, Abstract Total Pages [23]
3. ☒ Drawing(s) (35 USC 113) Total Sheets [4]
4. ☒ Oath or Declaration Total Pages [4]
 - a. ☐ Newly executed (original or copy)
 - b. ☒ Copy from prior application (37 CFR 1.63(d) (for continuation/divisional with Box 17 completed).
 - i. ☐ Deletion of Inventor(s)
Signed statement attached deleting inventor(s) named in prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
5. ☒ Incorporation by reference (usable if box 4b is checked)
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
6. ☐ Microfiche Computer Program (Appendix)
7. ☐ Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
 - a. ☐ Computer Readable Copy
 - b. ☐ Paper Copy (identical to computer copy)
 - c. ☐ Statement Verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

8. ☒ Assignment to **KOA CORPORATION, Ina-shi, Japan**, in the prior Application Serial No. 09/825,446, filed on April 4, 2001, has been recorded at Reel 011886, Frames 00626-0628, on June 11, 2001. **Please publish the assignee data with the application.**
9. ☐ 37 CFR 3.73(b) Statement (when there is an assignee) ☒ Power of Attorney

22387 U.S. PTO
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10. ☐ English translation Document (if applicable)
11. ☒ Information Disclosure Statement ☐ Copies of IDS Citations
12. ☐ Preliminary Amendment
13. ☒ Return Receipt Postcard (MPEP 503)
14. ☐ Small Entity Statement(s) ☐ Statement filed in prior application
Status still proper and desired.
15. ☒ Claim for Convention Priority ☐ Certified copy of Priority Document(s)
- a. Priority of Japanese Application Nos. 2000-102616 filed 4/4/00, 2000-342198 filed 11/9/00, 2000-380723 filed 12/14/00, and 2001-063955 filed 3/7/01 are claimed under 35 USC 119. The certified copies have been filed in prior application Serial No. 09/825,446. (For Continuing Applications, if applicable).
16. ☒ Other Preliminary Submission with attachment
17. ☒ If a CONTINUING APPLICATION, check appropriate box and supply the requisite information:
- ☒ Continuation ☐ Division ☐ Continuation-in-part (CIP) of prior application no. 09/825,446

FEE TRANSMITTAL	Number Filed	Number Extra	Rate	Basic Fee
The filing fee is calculated below				\$770.00
Total Claims	15 - 20	0	0 x \$18.00	
Independent Claims	2 - 3	0	0 x \$86.00	
Multiple Dependent Claims			\$290.00	
			Basic Filing Fee	\$770.00
Reduction by 1/2 for small entity				
Fee for recording enclosed Assignment			\$40.00	
TOTAL				\$770.00

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☒ [X] A check in the amount of \$770.00 is enclosed to cover the filing fee.

☐ [] Please charge our Deposit Account No. **01-2340** in the total amount of \$ to cover the filing fee and the \$ assignment recordation fee. A duplicate of this sheet is attached.

☒ [X] The Commissioner is hereby authorized to charge payment for any additional filing fees required under 37 CFR 1.16 or credit any overpayment to Deposit Account No. **01-2340**. A duplicate of this sheet is attached.

18. CORRESPONDENCE ADDRESS



23850

PATENT TRADEMARK OFFICE

SUBMITTED BY

Typed or Printed Name Donald W. Hanson

Reg. No. 27,133

Signature

Date: April 14, 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Continuation Application of 09/825,446:

NAKAMURA, Keishi; and TATUGUCHI, Mikio

Group Art Unit: Not Yet Assigned

Serial No.: Filed Concurrently

Examiner: Not Yet Assigned

Filed: April 14, 2004

P.T.O. Confirmation No.: Not Assigned

For. LOW RESISTANCE VALUE RESISTOR

PRELIMINARY SUBMISSION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

April 14, 2004

Sir:

Prior to examination of the subject continuation application of prior application Ser. No. 09/825,446 , filed April 4, 2001, please consider the following:

Applicants wish to make of record the personal interview conducted in the parent application on March 12, 2004, between Examiner Easthom and the undersigned. During the interview, the Office Action of November 14, 2003, in the parent application was thoroughly discussed.

In discussing the various features of the disclosed invention, the examiner indicated that a claim directed to the embodiment shown in Figure 1 might also be allowable. As best understood from the examiner, it was the combination of the "bent" configuration for the resistor in combination with the recessed metal strip 12 behind a "ear" or "projection" on the resistor body that might be patentable.

Independent claim as presented in the subject continuation application is directed to the embodiment shown in Figure 1. Favorable consideration of this claim and the claims dependent thereon is requested.

As to independent claim 1 of the parent application, the examiner was not convinced on the patentability of the claim over the Smejkal et al patent based on the feature of the insulating layer covering the entire surface of the resistor body. The examiner did, however, indicate that if the claim were amended to recite that the diffusion layer was formed by rolling that the claim might receive favorable consideration. The examiner further indicated that, if such an amendment to claim 1 were made, it would be necessary to demonstrate that the structure and/or properties of the diffusion layer differs in some significant fashion from a diffusion layer formed by other means.

Claim 1 has been amended herein to recite that the claimed resistor has a diffusion layer formed at an interface between the resistor body and the metal strip or in an interior of the resistor body under the metal strip which is formed by rolling and thermal diffusion bonding or junction. Further the attention of the examiner is directed to the attached copy of the Declaration Under 37 CFR 1.132 of Mr. Keishi Nakamura which was filed in the parent application. This Declaration demonstrates that the structure and/or properties of the diffusion layer differs in some significant fashion from a diffusion layer formed by other means. Consequently, it is submitted that that claim 1 and the claims dependent thereon are also in condition for allowance.

In the event that any additional fees are due in connection with this paper, please charge our Deposit Account No. 01-2340.

Respectfully submitted,

ARMSTRONG, KRATZ, QUINTOS, HANSON & BROOKS, LLP



Donald W. Hanson
Attorney for Applicants
Reg. No. 27,133

Atty. Docket No. 010481A
Suite 1000, 1725 K Street, N.W.
Washington, D.C. 20006
(202) 659-2930
DWH/nk



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Enclosure: Declaration of Keishi Nakamura dated 7/24/02